

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JODI HAMRICK,

Defendant.

NO. 2:20-cr-00079-RAJ

ORDER FOR MENTAL COMPETENCY
EXAMINATION UNDER 18 U.S.C. § 4241

This matter comes before the Court upon the motion of defense counsel, Sean Gillespie and Stephen Jackson. The Court finds that there is reasonable cause to believe that the defendant, JODI HAMRICK, may be suffering from a mental disease or defect rendering her mentally incompetent to the extent that she is unable to understand the nature and consequences of the proceedings against her or to assist properly in her defense.

Accordingly, as provided in 18 U.S.C. § 4241, the Court finds it necessary to order that the defendant be examined to determine mental competency and that a report be provided to the Court concerning whether the defendant understands the nature and consequences of the proceedings against her or can assist properly in her defense.

This Court finds as follows:

- a. Factual matters were determined to establish reasonable cause as required by 18 U.S.C. § 4241(a);
- b. Pursuant to 18 U.S.C. § 4241(b), a psychological examination of the defendant, JODI HAMRICK, should be ordered;

- c. Pursuant to 18 U.S.C. §§ 4247(b)-(c), such examination referred to in the above paragraph may properly be conducted to address the issues set forth in 18 U.S.C. §§ 4241(a)-(c);
- d. Pursuant to 18 U.S.C. § 3161(h)(1)(F), up to ten days is excludable under the Speedy Trial Act for transportation to the designated facility; and
- e. Pursuant to 18 U.S.C. § 3161(h)(1)(A), upon arrival at the designated facility and commencement of the evaluation, such time as is taken up by the examination and any proceeding to determine the Defendant's mental competency may properly be deemed excludable under the Speedy Trial Act.

IT IS THEREFORE ORDERED:

1. Pursuant to 18 U.S.C. § 4247(b), that the defendant be committed to the custody of the Attorney General for such reasonable period of time as is necessary for the examination, but not to exceed thirty (30) days from the date the defendant arrives at the institution designated for her evaluation. The director of the facility may apply for a reasonable extension, but not to exceed fifteen (15) days.
2. If the defendant, JODI HAMRICK, does not timely self-surrender as instructed by the Bureau of Prisons at the facility designated by the Bureau of Prisons, the United States Marshal is hereby authorized to transport the defendant to the designated facility and return JODI HAMRICK to her residence in Tennessee upon completion of the examination.
3. That such examination referred to herein must be to determine whether the defendant is currently suffering from a mental disease or defect rendering her mentally incompetent or to understand the nature and consequences of the proceedings against her, or to assist properly in her defense.
4. That the examination be conducted by a licensed or certified psychologist as required by 18 U.S.C. § 4247, or a Bureau of Prisons' licensed or certified clinical psychologist.

- 1 5. That the defense is not authorized to attend or to obtain any recording of the
2 examination;
- 3 6. That upon completion of the examination as herein requested, the examiner
4 prepare a full report, which will include all of the following as required by 18
5 U.S.C. § 4247(c):
 - 6 a. The defendant's history and present symptoms;
 - 7 b. A description of the psychiatric, psychological, and medical tests that
8 were employed and their results;
 - 9 c. The examiner's findings;
 - 10 d. The examiner's opinion as to the diagnosis and the prognosis; and
 - 11 e. Whether the defendant is suffering from a mental disease or defect
12 rendering her mentally incompetent to understand the nature and
13 consequences of the proceedings against her, or to assist properly in her
14 defense, as defined in 18 U.S.C. § 4241(a).
- 15 7. That the report be filed with this Court, under seal, and copies provided to
16 counsel for the defendant, Sean Gillespie and Stephen Jackson, and the Assistant
17 United States Attorney, Michael Dion, and Special Assistant United States
18 Attorney, Jessica M. Ly, as provided in 18 U.S.C. § 4247(c).

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20 DATED this 16th day of March, 2022.

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25 The Honorable Richard A. Jones
26 United States District Judge
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